IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Müller et al.

Serial No.: 09/889,093

U.S. Pat. No. 6,992,182

Filed: Oct. 15, 2001

issued Jan. 31, 2006

Entitled: METHOD FOR ISOLATING DNA FROM
BIOLOGICAL MATERIALS

Atty. Docket No.: QGN-020.0P US

Mail Stop Petition
Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

06/26/2006 TBESHAK2 00000116 6992182

02 FC:1461

130.00 OP

PETITION FOR SUSPENSION OF RULES
PURSUANT TO 37 C.F.R. §1.183 AND WAIVER OF 37 C.F.R. §3.81

Sir:

Pursuant to 37 C.F.R. §1.183, Patentees request suspension of the rules and waiver of 37 C.F.R. §3.81 as necessary to permit an additional assignee to be listed on the cover sheet of U.S. Pat. No. 6,992,182 issued Jan. 31, 2006. The petition fee of \$130.00 pursuant to 37 C.F.R. §1.17(h) is enclosed herewith (check no. 7001). A request for a Certificate of Correction pursuant to 37 C.F.R. §1.323 is filed concurrently herewith.

REMARKS

A Notice of Allowance issued in the above-referenced application on Sept. 12, 2005. Issue Fee Transmittal form PTOL-85 was filed with the issue fee on Nov. 10, 2005. In Box 3 of the Transmittal Form one assignee was incorrectly listed, namely, ~~Max-Planck-Gesellschaft zur Förderung der Wissenschaften (Munich, Germany)~~ (Holder date: 06/26/2006, TBESHAK2 00000116 6992182, 02 FC:1811, -130.00 OP). However, by innocent oversight and without deceptive intent, co-assignee Max-Planck-Gesellschaft zur Förderung der Wissenschaften (Munich, Germany) was not also listed.

Patentees submit this petition to request that the omitted co-assignee be listed on the patent.

Copies of the recorded assignments to Qiagen GmbH and to Max-Planck-Gesellschaft zur Förderung der Wissenschaften are attached. Copies of the Notice of Recordation of Assignment Document issued by the Patent Office in respect of each of the assignments are also included.

Also enclosed herewith is a Request for a Certificate of Correction pursuant to 37 C.F.R. §1.323, together with the fee of \$100.00 pursuant to 37 C.F.R. §1.20(a) (check no. 7002), and a Certificate of Correction on form PTO/SB/44.

A suspension of the rules and issuance of a Certificate of Correction to have both above-referenced Assignees appear on the cover page of the patent are respectfully requested.

Respectfully submitted,



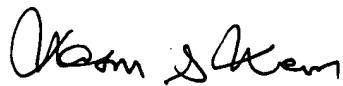
Leon R. Yankwich, Reg. No. 30,237
Michael R. Wesolowski, Reg. No. 50,944
Attorneys of Record
YANKWICH & ASSOCIATES, P.C.
201 Broadway
Cambridge, Massachusetts 02139
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CERTIFICATE OF MAILING

The undersigned hereby certifies that this correspondence is being deposited with the U.S. Postal Service as first class mail, in an envelope addressed to the Commissioner of Patents, **Office of Petitions**, Washington, DC 20231, on the date indicated below.

June 19, 2006

date



Nasim G. Memon

OCTOBER 30, 2001



PTAS

YANKWICH & ASSOCIATES
LEON R. YANKWICH
130 BISHOP ALLEN DRIVE
CAMBRIDGE, MA 02139

UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

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PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 10/30/2001

REEL/FRAME: 012109/0594
NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNEE'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNEE:
MULLER, OLIVER

DOC DATE: 10/01/2001

ASSIGNEE:
SPRENGER-HAUSSELS, MARKUS

DOC DATE: 10/09/2001

ASSIGNEE:
MAX-PLANCK-GESELLSCHAFT ZUR
FORDERUNG DER WISSENSCHAFTEN
HOFGARTENSTRASSE 2
D-80539 MUNICH, FED REP GERMANY

SERIAL NUMBER: 09889093
PATENT NUMBER:

FILING DATE:
ISSUE DATE:

SHARON BROOKS, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

PATENTS ONLY

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies): Oliver MÜLLER, Markus SPRENGER-HAUSSELS		2. Name and address of receiving party(ies): Name: <u>Max-Planck-Gesellschaft zur Förderung der Wissenschaften</u>
Additional name(s) of conveying parties(ies) attached <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Internal Address: _____
3. Nature of conveyance: <input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name <input type="checkbox"/> Other		Street Address: <u>Hofgartenstrasse 2 D-80539 Munich</u>
Execution Date: <u>October 1, 2001 – October 9, 2001</u>		Country: <u>Germany</u> Additional name(s) & address(es) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
4. Application number(s) or patent numbers: If this document is being filed together with a new application, the execution date of the application is:		
A. Patent Application No.(s) <u>U.S. Appln. No. 09/889,093, filed July 10, 2001</u>		B. Patent No.(s)
Additional numbers attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
5. Name and address of party to whom correspondence concerning the document should be mailed: Name: <u>Leon R. Yankwich</u>		6. Total number of applications and patents involved: <u>one (1)</u>
Internal Address: <u>Yankwich & Associates</u>		7. Total fee (37 CFR 3.41)...\$ <u>40.00</u> <input checked="" type="checkbox"/> Enclosed <input type="checkbox"/> Authorized to be charged to PTO deposit account
Street Address: <u>130 Bishop Allen Drive</u>		8. Deposit Account number: <u>50-0268</u>
City: <u>Cambridge</u> State: <u>MA</u> ZIP: <u>02139</u>		(Attach duplicate copy of this page if paying by deposit account)
DO NOT USE THIS SPACE		
9. Statement and signature. <i>To the best of my knowledge and belief, the foregoing information is true and correct, and any attached copy is a true copy of the original document.</i>		
Leon R. Yankwich Name of Person Signing		 Signature
		Date <u>Oct. 24, 2001</u>
Total number of pages comprising cover sheet: <u>1</u>		
OMB No. 0651-0011 (exp. 4/94) Do not detach this portion		
Mail documents to be recorded with required cover sheet information to: Commissioner of Patents and Trademarks Box Assignments Washington, D.C. 20231		
Public burden reporting for this sample cover sheet is estimated to average about 30 minutes per document to be recorded. Including time for reviewing the document and gathering the data needed, and completing and reviewing the sample cover sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, Office of Information Systems, PK2-1000C, Washington, D.C. 20231, and to the Office of Management and Budget, Paperwork Reduction Project (0651-0011), Washington, D.C. 20503.		

ASSIGNMENT

We,

(1) Oliver MÜLLER, and

(2) Markus SPRENGER-HAUSSELS

residing, respectively, at

44139
(1) Harnackstrasse 61, D-44236 Dortmund (DE), and

(2) Grünstrasse 52, D-42697 Solingen (DE)

1.04.2001
OZ/CB

both citizens of Germany, for good and valuable consideration, receipt of which is hereby acknowledged, have assigned, sold and transferred to and do hereby assign, sell and transfer to MAX-PLANCK-GESELLSCHAFT ZUR FÖRDERUNG, a corporation organized and existing under the laws of Germany and having an office and a place of business at Hofgartenstrasse 2, D-80539 Munich, Germany, its successors and assigns:

1) the entire right, title and interest in the United States and in all countries throughout the world in and to any and all my/our inventions and discoveries disclosed in U.S. Patent Application Ser. No. 09/889,093, filed July 10, 2001 and entitled: "METHOD FOR ISOLATING DNA FROM BIOLOGICAL MATERIALS" {Atty. Docket No. QGN-020.0P US (19619P US-WO/WWbj)}, including any renewals, revivals, reissues, reexaminations, extensions, continuations and divisions thereof, and any substitute applications therefor;

2) the full and complete right to file patent applications in the name of Max-Planck-Gesellschaft zur Förderung, its designee, or in our names at the election of Max-Planck-Gesellschaft zur Förderung or its designee, on the aforesaid inventions, discoveries and applications in all countries of the world;

3) the entire right, title and interest in and to any Letters Patent which may issue thereon in the United States or in any other country of the world and any renewals, revivals, reissues, reexaminations and extensions of the same; and

4) the entire right, title and interest in all Convention and Treaty Rights of all kinds thereon, including without limitation all rights of priority in any country of the world, in and to the above inventions, discoveries and applications.

We hereby authorize and request the competent authorities to grant and to issue any and all such Letters Patent in the United States and throughout the world to Max-Planck-Gesellschaft zur Förderung as the assignee of the entire right, title and interest therein, as fully and entirely as the same would have been held and enjoyed by us had this assignment, sale and transfer not been made.

We agree, at any time, upon the request of Max-Planck-Gesellschaft zur Förderung to execute and to deliver to Max-Planck-Gesellschaft zur Förderung any additional applications for patents for said inventions and discoveries, or any part or parts thereof, and any applications for patents of confirmation, registration and importation based on any Letters Patent issuing on said inventions, discoveries or applications, and divisions, continuations, renewals, revivals, reissues, reexaminations and extensions thereof.

We further agree at any time to execute and to deliver upon request of Max-Planck-Gesellschaft zur Förderung such additional documents, if any, as are necessary or desirable to secure patent protection on said inventions, discoveries and applications throughout all countries of the world, and otherwise to do the necessary to give full effect to and to perfect the rights of Max-Planck-Gesellschaft zur Förderung under this Assignment, including the execution, delivery and procurement of any and all further documents evidencing this assignment, transfer and sale as may be necessary or desirable.

ASSIGNORS:

(1) 
OLIVER MÜLLER

DATE OF
SIGNING:

1. October 2001
date

WITNESSED BY:

(1) 
Witness:

(2) 
MARKUS SPRENGER-HAUSSELS

2. October 2001
date

(2) 
Witness:



OCTOBER 31, 2001



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

YANKWICH & ASSOCIATES
LEON R. YANKWICH
130 BISHOP ALLEN DRIVE
CAMBRIDGE, MA 02139
OCT 31 2001
Orchard

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RECORDATION DATE: 10/30/2001

REEL/FRAME: 012113/0961
NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNEE'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNEE:
BASTIAN, HELGE

DOC DATE: 10/09/2001

ASSIGNEE:
VOLLERT, STEFANIE

DOC DATE: 09/29/2001

ASSIGNEE:
QIAGEN GMBH
MAX-VOLMER-STRASSE 4
IP & LICENSING
40724 HILDEN, FED REP GERMANY

SERIAL NUMBER: 09889093
PATENT NUMBER:

FILING DATE:
ISSUE DATE:

PAULA MCCRAY, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

PATENTS ONLY

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Helge BASTIAN, Stefanie VOLLERT

Additional name(s) of conveying parties(ies) attached Yes No

3. Nature of conveyance:

Assignment Merger

Security Agreement Change of Name

Other

Execution Date: September 29, 2001 – October 9, 2001

4. Application number(s) or patent numbers:

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No.(s)

U.S. Appln. No. 09/889,093, filed July 10, 2001

B. Patent No.(s)

Additional numbers attached? Yes No

5. Name and address of party to whom correspondence concerning the document should be mailed:

Name: Leon R. Yankwich

Internal Address: Yankwich & Associates

Street Address: 130 Bishop Allen Drive

City: Cambridge State: MA ZIP: 02139

6. Total number of applications and patents involved:
one (1)

7. Total fee (37 CFR 3.41)....\$ 40.00

Enclosed
 Authorized to be charged to PTO deposit account

8. Deposit Account number:

50-0268

(Attach duplicate copy of this page if paying by deposit account)

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9. Statement and signature. *To the best of my knowledge and belief, the foregoing information is true and correct, and any attached copy is a true copy of the original document.*

Leon R. Yankwich

Name of Person Signing

Signature

Oct. 24, 2001

Date

Total number of pages comprising cover sheet: 1

OMB No. 0651-0011 (exp. 4/94)

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Washington, D.C. 20231

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ASSIGNMENT

We,

- (1) Helge BASTIAN, and
- (2) Stefanie VOLLETT

residing, respectively, at

- (1) Benrather Schloßallee 94a, 40597 Düsseldorf (DE), and
- (2) Hainerweg 11, D-65719 Hofheim-Lorsbach (DE)

both citizens of Germany, for good and valuable consideration, receipt of which is hereby acknowledged, have assigned, sold and transferred to and do hereby assign, sell and transfer to QIAGEN GmbH, a corporation organized and existing under the laws of Germany and having an office and a place of business at Max-Volmer-Strasse 4, 40724 Hilden, Federal Republic of Germany, its successors and assigns:

- 1) the entire right, title and interest in the United States and in all countries throughout the world in and to any and all my/our inventions and discoveries disclosed in U.S. Patent Application Ser. No. 09/889,093, filed July 10, 2001 and entitled: "METHOD FOR ISOLATING DNA FROM BIOLOGICAL MATERIALS" {Atty. Docket No. QGN-020.0P US (19619P US-WO/WWbj)}, including any renewals, revivals, reissues, reexaminations, extensions, continuations and divisions thereof, and any substitute applications therefor;
- 2) the full and complete right to file patent applications in the name of QIAGEN GmbH, its designee, or in our names at the election of QIAGEN GmbH or its designee, on the aforesaid inventions, discoveries and applications in all countries of the world;
- 3) the entire right, title and interest in and to any Letters Patent which may issue thereon in the United States or in any other country of the world and any renewals, revivals, reissues, reexaminations and extensions of the same; and
- 4) the entire right, title and interest in all Convention and Treaty Rights of all kinds thereon, including without limitation all rights of priority in any country of the world, in and to the above inventions, discoveries and applications.

We hereby authorize and request the competent authorities to grant and to issue any and all such Letters Patent in the United States and throughout the world to QIAGEN GmbH as the assignee of the entire right, title and interest therein, as fully and entirely as the same would have been held and enjoyed by us had this assignment, sale and transfer not been made.

We agree, at any time, upon the request of QIAGEN GmbH, to execute and to deliver to QIAGEN GmbH any additional applications for patents for said inventions and discoveries, or any part or parts thereof, and any applications for patents of confirmation, registration and importation based on any Letters Patent issuing on said inventions, discoveries or applications, and continuations, renewals, revivals, reissues, reexaminations and extensions thereof.

We further agree at any time to execute and to deliver upon request of QIAGEN GmbH such additional documents, if any, as are necessary or desirable to secure patent protection on said inventions, discoveries and applications throughout all countries of the world, and otherwise to do the necessary to give full effect to and to perfect the rights of QIAGEN GmbH under this Assignment, including the execution, delivery and procurement of any and all further documents evidencing this assignment, transfer and sale as may be necessary or desirable.

ASSIGNORS:

DATE OF SIGNING:

WITNESSED BY:

(1) Helge B. L.
HELGE BASTIAN

9/10/01
date

(1) B. Rofr.
Witness:

(2) S. Vollert
STEFANIE VOLLERT

29/09/01
date

(2) B. Rofr.
Witness: